



Attorney Docket No. 0275M-000273

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/498,821  
Filing Date: February 4, 2000  
Applicant: Lutkus et al.  
Group Art Unit: 3627  
Examiner: Flemming Saether  
Title: Anti-Galling Fastener Inserts  
Attorney Docket: 0275M-000273

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AM  
#10  
6/14/01

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME

Sir:

This is an appeal to the Board of Appeals from the final rejection of the Primary Examiner dated January 2, 2001 rejecting claims 1-19.

[X] Please consider this also a petition pursuant to the provisions of 37 C.F.R. 1.136 for a two month extension in the time for responding to the final rejection. The necessary fee indicated below is enclosed.

A fee calculated as follows is enclosed:

Appeal Fee ..... \$310 ✓  
Extension Fee ..... 390 ✓  
Total Non-Small Entity ..... 700

Reduction by one-half for Small entity ..... \_\_\_\_\_

[ ] Verified Statement enclosed.  
[ ] Verified Statement previously filed.

Reduction for Extension Fee of \_\_\_\_\_ months already paid ..... \_\_\_\_\_

TOTAL ..... \$700

06/11/2001 HVUONG1 00000073 09498821

01 FC:119 310.00 DP  
02 FC:116 390.00 DP

Granted (2) mos.

☒ A check is enclosed to cover the fees as calculated above.

☐ The fees calculated above are to be charged to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee necessary to prevent abandonment of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 08-0750 for any extension of time fee which may be due.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 08-0750. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By: Robert M. Siminski

Robert M. Siminski  
Registration No. 36,007

Harness, Dickey & Pierce, P.L.C.  
P. O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

Date: June 4, 2001



3627 \$AF

HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/498,821
Filing Date	February 4, 2000
First Named Inventor	Lutkus et al.
Group Art Unit	3627
Examiner Name	Flemming Saether
Attorney Docket Number	0275M-000273

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return postcard
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Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Stephen T. Olson	Reg. No.	36,626
Signature					
Date	June 4, 2001				

## CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Stephen T. Olson		
Signature		Date	June 4, 2001

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# FREE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 700

## Complete if Known

Application Number 09/498,821  
Filing Date February 4, 2000  
First Named Inventor Lutkus et al.  
Examiner Name Flemming Saether  
Group / Art Unit 3627  
Attorney Docket No. 0275M-000273

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JUN 13 2001

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## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

08-0750

Deposit  
Account  
Name

Harness, Dickey & Pierce, P.L.C.

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES

Total Claims		-	=	0	X		=	0
Independent Claims		-	=	0	X		=	0
Multiple Dependent					X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	390
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	310
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 700

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Stephen T. Olson Registration No. Attorney/Agent) 36,626 Telephone 248-641-1600  
Signature *Stephen T. Olson* Date June 7, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.